

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:	:	Chapter 11
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SAINT VINCENTS CATHOLIC MEDICAL	:	Lead Case No. 10-11963 (CGM)
CENTERS OF NEW YORK, <u>et al.</u> ,	:	
	:	
Debtors.	:	Jointly Administered
	:	
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**FINAL ORDER PURSUANT TO SECTIONS 105(a), 363, AND 1108 OF  
THE BANKRUPTCY CODE AUTHORIZING THE DEBTORS TO CONTINUE THE  
IMPLEMENTATION, IN ACCORDANCE WITH NEW YORK STATE LAW, OF A  
PLAN OF CLOSURE FOR THE DEBTORS' MANHATTAN HOSPITAL AND  
CERTAIN AFFILIATED OUTPATIENT CLINICS AND PRACTICES**

Upon the motion (the “**Motion**”)<sup>1</sup> of Saint Vincents Catholic Medical Centers of New York (“**SVCMC**”) and certain of its affiliates, as Chapter 11 debtors and debtors in possession (each a “**Debtor**” and collectively, the “**Debtors**”)<sup>2</sup> in the above-referenced Chapter 11 cases (the “**Chapter 11 Cases**”) for entry of a final order, pursuant to sections 105(a), 363, and 1108 of the Bankruptcy Code, (a) authorizing the Debtors to continue the implementation, in accordance with New York State law and in coordination with the New York State Department of Health (“**DOH**”), of a plan of closure for the Debtors’ Manhattan hospital and certain affiliated outpatient clinics and practices and (b) deeming such relief *nunc pro tunc* to the Petition Date; and the Court having subject matter jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. § 1334 and the Standing Order of Referral of Cases

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<sup>1</sup> Capitalized terms used but not defined herein shall have the same meanings ascribed to them in the Motion.

<sup>2</sup> In addition to SVCMC, the Debtors are as follows: (i) 555 6th Avenue Apartment Operating Corporation; (ii) Bishop Francis J. Mugavero Center for Geriatric Care, Inc.; (iii) Chait Housing Development Corporation; (iv) Fort Place Housing Corporation; (v) Pax Christi Hospice, Inc.; (vi) Sisters of Charity Health Care System Nursing Home, Inc. d/b/a St. Elizabeth Ann’s Health Care & Rehabilitation Center; (vii) St. Jerome’s Health Services Corporation d/b/a Holy Family Home; and (viii) SVCMC Professional Registry, Inc.

to Bankruptcy Court Judges of the District Court for the Southern District of New York, dated July 19, 1984 (Ward, Acting C.J.); and the Motion being a core proceeding under 28 U.S.C. § 157(b); and venue being proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion and the final hearing before the Court having been provided to (a) the Office of the United States Trustee for the Southern District of New York; (b) the Debtors' material prepetition and post-petition secured lenders or any agent thereof; (c) the Office of the United States Attorney; (d) the Office of New York State Attorney General; (e) the New York State Department of Health; (f) the Internal Revenue Service; and (g) the holders of the 30 largest unsecured claims on a consolidated basis; and no other or further notice need be provided; and the Court having entered an Interim Order approving the Motion on an interim basis on April 16, 2010 ("**Interim Order**") and a further Order Enforcing the Interim Order and the Automatic Stay dated April 22, 2010; and the Court having considered (a) the objection dated April 26, 2010 (the "**Objection**") of Richard Stack, Jane Doe Nurse, John Doe Doctor, Joan Bryson, Barbara Police, Patricia Slone, John M. Gillen and Jay Kallio et al. (collectively, "**Richard Stack, et al.**"); (b) the Debtors' reply to the Objection, dated May 4, 2010; (c) the sur-reply of Richard Stack, et al. dated May 5, 2010; (d) upon the statements of counsel and the testimony provided at the hearings before this Court on April 15, 2010, April 22, 2010 and May 6, 2010 (collectively, the "**Hearings**"); and (e) all other pleadings submitted in connection therewith, and the Court having determined that the legal and factual bases set forth in the Motion, the Toney Declaration, and at the Hearings establish just cause for the relief granted herein and finding that such relief is in the best interests of the Debtors and their estates and creditors; and after due deliberation and sufficient cause appearing therefore,

IT IS HEREBY ORDERED THAT:

1. The Motion is granted on a final basis to the extent provided herein *nunc pro tunc* to the Petition Date.

2. The Objection is overruled for the reasons set forth on the record and in the memorandum opinion dated May 14, 2010.

3. The Debtors are hereby authorized and empowered – in coordination with the DOH, other regulatory agencies, and pursuant to applicable law – to take all actions necessary to complete the implementation of the Closure Plan.

4. The Debtors are hereby authorized to continue to transfer and discharge patients, transfer and store medical records, dispose of pharmaceuticals and inventory, dispose of medical waste and hazardous materials, and cease operations at the Hospital and associated clinics and practices.

5. The requirements set forth in Bankruptcy Rule 6004(a) are satisfied by the contents of the Motion.

6. Notwithstanding the possible applicability of Bankruptcy Rule 6004(h), the terms and conditions of this Final Order shall be immediately effective and enforceable upon its entry.

7. The requirements set forth in Local Rule 9013-1(b) are satisfied by the contents of the Motion.

8. The Debtors are authorized and empowered to take all actions necessary to implement the relief granted in this Final Order.

9. This Court shall retain jurisdiction to hear and determine all matters arising from or related to this Final Order.

Dated: New York, New York  
May 14, 2010

/s/ Cecelia Morris  
THE HONORABLE CECELIA G. MORRIS  
UNITED STATES BANKRUPTCY JUDGE